



the
**COUNTY of
SHIAWASSEE**
established in 1822

Shiawassee County Sanitary Code



Serving You, Your Family & Our Community

**Environmental Health Division
Shiawassee County Health Department**

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SHIAWASSEE COUNTY SANITARY CODE

CHAPTER I PURPOSE, ADMINISTRATION AND GENERAL DEFINITIONS

Section A - PURPOSE

The broad objective of these regulations is to provide a means for safeguarding the environment necessary for the health and welfare of the users and all other persons of the County of Shiawassee.

Section B - AUTHORITY, JURISDICTION AND ADMINISTRATION

1. AUTHORITY

By virtue of the power vested in the Shiawassee County Health Department under authority of Act 368 P.A. of 1978, Part 24, Section 2435 (d), there are hereby provided regulations affecting the public health, safety, and welfare relating to sewage disposal, water supply and garbage and rubbish disposal and to provide penalties for the violations of such regulations.

2. JURISDICTION

The Shiawassee County Health Department shall have jurisdiction throughout Shiawassee County including all cities, villages and townships, in the administration and enforcement of these regulations including all amendments hereafter adopted unless otherwise specifically stated.

3. ENFORCEMENT

All premises affected by this code shall be subject to inspection by the Health Officer, who may collect such samples for laboratory examination as he deems necessary for the enforcement of the provisions hereof, and the Health Officer may maintain an action in the name of the Shiawassee County Health Department for injunctive relief to enforce the provisions of this code or to pursue the criminal sanctions imposed herein.

4. RIGHT OF ENTRY AND INSPECTION

No person shall refuse to permit the Health Officer to inspect any premises at reasonable times, nor shall any person molest or resist the Health Officer in the discharge of his duty.

5. INTERFERENCE WITH NOTICES

No person shall remove, mutilate or conceal any notice or placard posted by the Health Officer except by permission of the Health Officer.

6. VALIDITY AND SEVERABILITY OF SECTIONS

If any section, subsection, clause or phrase of this code is for any reason adjudged unconstitutional or invalid, it is hereby provided that the validity of remaining provisions of this code shall not be affected thereby.

7. FEE SCHEDULE

A schedule of fees for licenses and other services authorized by this code shall be as from time to time adopted by the Shiawassee County Board of Commissioners, pursuant to Act 368, P.A. of 1978, Part 24, Section 2444 (1).

8. REPEAL OF PREVIOUSLY ADOPTED CODES

The previously adopted Shiawassee Sanitary Code including Chapters I, II and III is hereby repealed.

9. PRE-EXISTING VIOLATIONS

No violation of any repealed section or provision shall be made legal by virtue of a new effective date of these regulations. Any act, situation or condition of premises or things which, when created or first allowed to exist, was a violation of the Shiawassee County Sanitary Code shall continue to be a violation of this code if a similar section or provision is a part of this code. Any action, issuance of permit or maintenance of a condition that is mandatory, under provisions of the chapters now repealed, shall continue to be required if the same or similar provision is contained in these regulations.

Section C - PENALTY APPEAL AND STATUS

1. PENALTY FOR VIOLATION

Any person who shall fail to comply with any provision herein shall be deemed guilty of a misdemeanor. In the case of continuing violations, each day's violation shall constitute a separate offense.

2. CREATION OF APPEALS BOARD AND AUTHORITY

- A. In order to provide for reasonable and equitable interpretations of this code, there is hereby created a "Board of Appeals". The board shall consist of five (5) members, who shall be representative of varied interests. All members shall be qualified electors of the county.

The Shiawassee County Board of Health shall recommend members to serve on the Board of Appeals to the Shiawassee County Board of Commissioners. One (1) of the five (5) members shall be a member of the Shiawassee County Board of Health who shall be appointed annually for a one (1) year term. Of the remaining positions there shall be appointed: One (1) registered sewer system installer, one (1) representative of Board of Realtors, one (1) representative of lending agencies, one (1) person from the general public. Initially the four (4) members shall be appointed for one, two, three and four year terms with eligibility for reappointment. Thereafter, the terms shall be for four (4) years. Vacancies shall be filled by appointment for the balance of the unexpired term.

There will need to be at least three (3) members of the Appeals Board present at the appeals meeting to have a quorum. Compensation and reimbursement expenses for the member of such Board of Appeals shall be as determined by the County Board of Commissioners.

Any person who feels aggrieved by a decision of the Health Officer involving this Code, may appeal that decision to the herein created Appeal Board. No hearing shall be scheduled within less than fifteen (15) days, nor more than forty-five (45) days after receipt of the written petition and fee.

Supporting documentation shall accompany the petition and shall include sufficient information to follow the Board of Appeals to adequately review, discuss and render a decision. The Board may require Certified Professional Sealed Engineered Plans be submitted by the appellant.

B. SCOPE OF AUTHORITY

The Board of Appeals has the authority to grant individual variances from the requirements of this code when said Board has determined that no substantial health hazard is likely to occur therefrom.

When the property under appeal is located within a plat which has been developed under Act 288, P.A. of 1967 as amended, the Appeal Board must also comply with that Act and any established rules and guidelines developed pursuant to Act 288, P.A. of 1967.

The Appeal Board has no jurisdiction in any development, which takes place under authority of Act 245, P.A. of 1929 as amended.

The Appeal Board has no jurisdiction in any development under the authority of Sections 2435 and 2441 of Act 368 of the Public Acts of 1978, State of Michigan, as amended, being Sections 333.2435 and 333.2441 of the Michigan Compiled Laws, and Public Water Supplies, as defined by Michigan's Safe Drinking Water Act, Act 399 of the Public Acts of 1976, and Administrative Rules, as amended.

Any sewage construction permit issued as a variance by the Appeals Board shall in addition to the proposed construction, be subject to the following limitations:

- 1) Notwithstanding Sec. 220.4, the construction permit shall be valid for a period not to exceed six (6) months from date issued. The Health Officer may extend the valid period by six (6) months if extenuating circumstances warrant.
- 2) The construction permit must be issued to the current property owner and shall not be transferable to any new owner. If property ownership is transferred prior to the expiration of the sewage system construction permit, the permit shall expire immediately.
- 3) The permit may be declared void by the Health Officer if the area designated for the soil absorption system is disturbed by major filling, excavating, paving, or flooding, or change in system location, or by location of a water supply well or other feature so as to encroach on my required isolation distance or is any way modified placing it inconsistent with the approved construction plans.

The Shiawassee County Health Department is to be given twenty-four (24) hour notice prior to construction of the permitted sewage system. The department shall not be responsible for verifying the site conditions and construction area as designed. The Septic Appeals Board shall require construction verification and will determine who will verify construction of the sewage disposal system.

3. STATUS OF THIS CODE

- A. OTHER LAWS AND REGULATIONS - The requirements of this Code are minimum standards supplemental to the rules and regulations duly promulgated by the Michigan Department of Public Health and to the laws of the State of Michigan relating to public health and environment. Where any provision of this Code and a provision of any other statute, ordinance or regulation of either the State of Michigan or Shiawassee County both apply, the more restrictive of any or all codes, statutes, ordinances or regulations shall prevail.
- B. EFFECTIVE DATE - This Code and any additions thereto or amendments thereof shall take effect on the 45th day after approval by the Shiawassee County Board of Commissioners or on the date stated in said Code or addition or amendment, whichever comes later.

SECTION 100

GENERAL DEFINITIONS

(Applicable to all chapters unless otherwise specified.)

Section 100.1 - WORDS AND TERMS

When not inconsistent with the context, words used in the present tense include the future tense, words used in the singular number include the plural and words in the plural include the singular number. The word shall is always mandatory and not merely directional. Words and terms not defined herein shall be interpreted in the manner of their common usage.

Section 100.2 - BOARD OF HEALTH

The term Board of Health shall mean the Board of Health of the Shiawassee County Health Department.

Section 100.3 - HEALTH DEPARTMENT

The term Health Department shall mean the Shiawassee County Health Department.

Section 100.4 - HEALTH OFFICER

The term Health Officer shall mean the director or acting director of the Shiawassee County Health Department and/or his authorized representatives.

Section 100.5 - MUNICIPALITY

The term municipality shall mean any incorporated city or village or township within the County of Shiawassee.

Section 100.6 - HABITABLE BUILDING

The term habitable building shall mean any structure where persons reside, are employed or congregate.

Section 100.7 - PREMISE

The term premise shall mean any tract of land with or without any building thereon.

Section 100.8 - PERSON

The term person shall mean an individual, or a firm partnership, company, corporation, trustee, association, or any public or private entity.

Section 100.9 - DWELLING

The term dwelling shall mean any house, building, structure, tent, shelter, trailer, or vehicle or portion thereof which is occupied in whole or in part as a home, residence, living or sleeping place of one or more human beings either permanently or transiently.

Section 100.10 - OWNER

The term owner shall mean the owner of title or record, or the person legally occupying or in possession of any property or premises.

Section 100.20 - NUISANCE

The term nuisance shall include, but not be limited to, any condition where effluent from any sewage disposal facilities is exposed to the surface of the ground or is permitted to drain on or to the surface of the ground, into any ditch, storm sewer, lake or stream, or when the odor, appearance, or presence of this material has an obnoxious or detrimental effect on or to the senses and/or health of persons or when it shall obstruct the comfortable use or sale of adjacent property.

Section 100.30 - NUISANCES PER SE

Every violation of the provisions of this Code and every failure to comply with any notice given under authority of this Code shall constitute a nuisance per se.

Section 100.40 - AVAILABLE FACILITY

Means a public utility located in the right of way, easement, highway, street or public way which crosses, adjoins or abuts upon the property and passing not more than 200 feet at the nearest point from the structure in question.

Section 100.50 - APPROVED

Shall mean suitable for the proposed use in accordance with the intent and purpose of this Code, as judged by the Health Officer based on his own examination and evaluation and/or on the evaluation of submitted evidence indicating compliance with an appropriate standard or specification.

Section 100.60 - SEWAGE SYSTEM FAILURE

A sewage absorption field is considered to have failed if any one of the following conditions exists: (a) the system does not accept effluent at the rate of application. (b) sewage effluent seeps from, or ponds on or around the system, or contaminates the surface waters or groundwater of the State.

CHAPTER II

SECTION 200 - DEFINITIONS

Section 200.1 - SEWAGE

Sewage shall mean a combination of all liquid wastes conducted away from a dwelling or habitable building, excluding roof, water softener discharge, footing and storm drainage.

Section 200.2 - SEWER

Sewer shall mean a water tight conduit pipe for carrying off sewage.

Section 200.3 - ABSORPTION FIELD

Absorption field shall mean a system for distributing septic tank overflow or effluent below the ground surface by means of a series of branch lines or drain tile laid with open joints or perforations so as to allow the overflow or effluent to be absorbed by the surrounding soil.

Section 200.4 - SEWAGE DISPOSAL SYSTEM

Sewage Disposal System shall mean a sanitary privy, flush toilet, septic tank, absorption field or similar device used in the collection and/or disposal of sewage or human excreta. This shall include all similar contrivances used in the collection and/or disposal of sewage whether specifically enumerated herein or not.

Section 200.5 - SEPTIC TANK

Septic Tank shall mean a watertight tank or receptacle of sufficient size used for the purpose of receiving wastes from flush toilets, lavatories, sinks, bathtubs, showers, laundry drains, basement floor drains or other similar waste lines and intended to provide for the separation of substantial portions of the suspended solids so separated.

Section 200.6 - FLUSH TOILET

Flush toilet shall mean a type of closed plumbing receptacle containing a portion of water which receives human excreta and so designed as by means of a flush of water to discharge the contents of the receptacle to an outlet connection.

Section 200.8 - MANUAL OF SEPTIC TANK PRACTICE

Manual of Septic Tank Practice shall mean the United States Department of Health, Education and Welfare, Public Health Service Publication #526, revised 1967, for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C.

SECTION 210

SEWAGE DISPOSAL SYSTEM OR CONNECTION REQUIRED

Section 210.1 - SEWAGE DISPOSAL, TO PUBLIC SYSTEM OR ON-SITE

All premises from which sewage originates shall either convey all such sewage to a public sewer system constructed and maintained in accordance with Act 98 of the Public Acts of 1913, as amended, or shall provide on the said premises for disposal of all sewage by methods approved by the Health Officer in accordance with this Code.

Section 210.2 - PROHIBITED OCCUPANCY OF PREMISES LACKING SEWAGE DISPOSAL

It shall be unlawful for any person to occupy, or permit to be occupied, any premise which if not connected to a public sewer as provided in Section 210.1, is not equipped with an approved sewage disposal system for the disposal in a sanitary manner of all forms of sewage. Such facilities shall be constructed in accordance with the provisions of this Code. Any premise constructed or maintained which are not in accordance with this Code may be declared unfit for the human habitation and may be so posted by the Health Officer.

Section 210.3 - CONDEMNATION OF EXISTING INSTALLATIONS

The Health Officer may condemn any existing sewage disposal system where the effluent therefrom is exposed to the surface of the ground, or is permitted to drain into any lake, river, stream, county drain, ditch or storm drain or where seepage of effluent therefrom may endanger a public or private water supply, or where a nuisance is created by a system improperly constructed or maintained.

Any system so condemned shall be repaired, rebuilt or replaced by a system constructed according to provisions of these regulations where possible, or by another method approved by the Health Officer in order to abate a public health nuisance, within a specified period of time not to exceed ninety (90) days after official notification from the Health Officer; unless extenuating circumstances exist which prevent compliance in a timely manner.

Section 210.4 - MAINTENANCE

Every private sewage disposal system shall be maintained in a satisfactory operating condition at all times. Every septic tank shall be serviced by having sludge pumped out at such intervals that will prevent carryover of solids into the absorption field.

Section 210.5 - CONNECTION TO PUBLIC SEWER SYSTEM

The sewage facilities installed in premises where a connection to a public sewer is available shall be connected with said public sewer in accordance with Act 288, Public Acts of 1972. Whenever the Health Officer has condemned an existing sewage disposal system and a public sewer is available, he is authorized to proceed with an order for immediate connection to the public sewer.

Section 210.6 - SEWAGE FROM PUBLIC OR PRIVATE DRAIN OF UNKNOWN COURSE OR ORIGIN

Whenever the Health Officer shall determine that improperly treated sewage is flowing from the outlet of any public or private drain of unknown course or origin, he may issue public notices requiring persons owning premises from which such sewage originates, to cease and desist from the further discharge of improperly treated sewage into said drain. Notice shall further require property owners to connect such sewage into said public sewer if available, or in absence thereof to comply with provisions of this Code. Public notice shall consist of the posting of at least five (5) conspicuous notices in the probable area served by said drain. After no less than thirty (30) days following posting of the notices, the Health Officer may plug or cause to be plugged the outlet of said drain until such time as the sources of the sewage have been located. Each owner of property, if known to be discharging improperly treated sewage into such drain posted by the Health Officer, shall be given written notice of corrections required within the time allowed by the posted notices. Failure to comply with said notice shall be a violation of this Code. The Health Officer shall not be liable for any damage, which results or might result from action authorized by this section.

Section 210.7 - SEPARATE SYSTEMS FOR EACH DWELLING OR ESTABLISHMENT

Unless specifically approved by the Health Officer, each on-site sewage disposal system shall serve only one habitable building.

Section 210.8 - DESIGNATION AS HARDSHIP CASE

For purposes of this Code, a hardship shall exist when the following condition(s) singularly or collectively are found to be in existence:

- A. When a dwelling unit has been destroyed by fire, explosion, collapse, Acts of God or other similar catastrophes to the extent, it is unsafe or unsanitary.
- B. When medical condition(s) exist which require supervision. The applicant may be required to provide certification from a physician stating that the patient requires supervision. Sec. 210.8 (b) shall apply to blood relative family members including mother, father, grandmother, grandfather, daughter and son, brother and sister.

SECTION 220

PERMIT FOR CONSTRUCTION OF PRIVATE SEWAGE DISPOSAL SYSTEM

Section 220.1 - PERMIT REQUIRED

From and after the effective date of this Code, it shall be unlawful for any person to begin building construction or to construct, replace, perform major repair or extend any sewage disposal system within Shiawassee County unless a permit for same has been issued by the Health Officer.

Section 220.2 - APPLICATION FOR CONSTRUCTION PERMIT

Application for construction permit to install, repair or extend an individual sewage disposal system shall be made on a form supplied by the Health Officer. The form shall include the name and address of the applicant, the description of the property on which the construction, repair, alteration or extension is proposed, and a complete plan of the proposed disposal system. The Health Officer may require substantiating data in the form of certified professional sealed engineered plans, drawings, maps, soil borings, backhoe cuts, percolation tests, high water evaluations and detailed plans for the proposed individual sewage disposal systems if deemed necessary. The Health Officer shall have the right to reject an application under the following conditions:

1. Where a publicly operated sewage system is available.
2. Where a septic tank would be inaccessible for cleaning or inspection purposes.
3. Where the property served is too small for proper isolation from existing water wells, the premise water well, surface waters or has insufficient drainage area.
4. Where the seasonal high water table is less than two (2) feet below the ground surface.
5. Where permeability is greater than sixty (60) minutes/inch.
6. Where the septic system is proposed in an established one hundred (100) year flood plain or subject to periodic flooding.
7. Where conditions may create a public health hazard.

Section 220.3 - PRIORITY OVER BUILDING PERMITS

No municipality or township or other agency shall issue a building permit or otherwise allow commencement of construction on any land where public sewers are not available until a permit has first been obtained from the Health Officer for a private sewage disposal system.

Section 220.4 - TERMINATION OF PERMITS

Any permit issued pursuant to the requirements of the preceding sections shall be valid for the term of twenty-four (24) months from the date of issuance unless declared void as provided in the regulations, and no construction, alteration, and/or extension shall continue without renewal of such permit. In addition, the Health Officer shall not conduct any inspection on a premises unless said premises is in possession of a valid permit; however, a thirty (30) day grace period may be extended after the date of expiration. A permit may be renewed one (1) time for a period of twelve (12) months. A permit shall not be renewed after expiration. A person with a permit, which has expired, shall make new application and shall meet the minimum criteria for acceptance as set forth in this Code.

Section 220.5 - VOID PERMITS

The permit for a private sewage disposal system may be declared void by the Health Officer if the area designated for the soil absorption system is disturbed by major filling, excavating, paving, flooding, change in system location, by location of a water supply well or other feature so as to encroach on any required isolation distance.

The permit may also be declared void if there is any increase in the scope of the project prior to, during or following construction of said system.

Section 220.6 - TRANSFER OF PERMITS

Should the ownership of the property for which a permit has been issued change ownership the permit may be transferred to the new owner. Such transfer must be requested in writing on forms to be provided by the Health Officer and signed by the permit holder and the new property owner. The permit holder shall be the person to whom the permit was originally issued.

Section 220.7 - INSPECTION REQUIRED BEFORE BACKFILL

After construction of a sewage disposal system, or any part thereof, has been completed to the extent of the placement of all sewers and distribution lines, and before the system has been backfilled, or placed into operation, request for an inspection shall be made to the Health Officer. The Health Officer shall have the right to but is not required to make inspections of sewage systems. At his discretion, the Health Officer may require the installer submit a verification of construction on forms provided by the Health Department. Verification of construction, as permitted, must be obtained from the Health Officer or installer before the system is covered or placed into operation. Once approval for backfill is obtained, the system shall not be allowed to remain open for longer than forty-eight (48) hours.

The verification on the installed septic system is not a written guarantee that the sewage disposal system will give trouble-free service. Additional load on the septic system, such as garbage grinders, water softener waste, sump pump discharge, addition of other fixtures, increased water usage and other factors, can contribute to failure of the sewage disposal system.

SECTION 230

CONTRACTORS PERMIT FOR INSTALLERS

Section 230.1

Any person, firm, company or corporation who shall engage in the business of installation of a sewage disposal system, or any part thereof within Shiawassee County shall first obtain a contractor's permit from the Health Officer. The Health Department shall periodically update contractor's permits to determine if they are still active installers.

Section 230.2

At the time of issuing the contractor's permit, all regulations pertaining to sewage disposal shall be reviewed by the applicant and a statement signed stating that he and/or his firm, company or corporation will comply with such regulations.

Section 230.3 - SUSPENSION OF PERMITS

Any contractor's permit issued pursuant to Section 230.1 may be suspended by the Shiawassee County Health Department if in the judgement of the Health Officer one or more of the following conditions are present:

- A. The contractor installs any sewage disposal system without first obtaining a permit from the Shiawassee County Health Department.
- B. Violations of the constructional requirements as stated in the construction permit and/or other provisions of this Code.

The contractor shall be notified in writing of the suspension and of the conditions which caused the suspension.

Section 230.4 - RE-INSTatement OF SUSPENDED PERMIT

Whenever a contractor believes the conditions for which his permit was suspended have been resolved, he may request his permit be re-instated. After determination by the Health Officer that the causes for suspension have been satisfactorily resolved, he shall re-instate the contractor's permit.

Section 230.5 - RIGHT OF APPEAL

Whenever a contractor feels he has been aggrieved by a decision of the Health Officer to suspend his permit or to re-instate his permit, he may appeal that decision to the Appeal Board created in Section C.

Section 230.6 - HOMEOWNER EXEMPT FROM CONTRACTOR'S PERMIT

In no way shall this provision be construed to prohibit an individual from installing his own sewage system on his own property provided he complies with permit requirements contained in Section 220.1.

SECTION 240

SPECIFIC REQUIREMENTS FOR A SEWAGE DISPOSAL SYSTEM

Section 240.1

Any or all of the following requirements which are applicable shall be complied with in the location and construction of a sewage disposal system; provided, however, that the deviations from the following requirements may be permitted if authorized in writing on an individual basis or by general publication by the Health Officer prior to the implementation thereof. It is the intent in permitting deviations to avoid undue hardships; to recognize and provide for new technical knowledge and advances in sanitation practice; and to avoid disruption in the orderly and reasonable development of the property when such can be accomplished within the purposes of this Code. In no case shall a deviation be construed to permit the commission of such act as may in the Health Officer's opinion jeopardize the public health, safety or welfare.

Section 240.2

For requirements not specifically covered in Section 240 of this Code, the Manual of Septic Tank Practice, shall be used as a guide in determining those requirements.

Section 240.3

The following items shall be evaluated when determining the suitability of the soil to provide satisfactory drainage

for a septic tank and tilefield system:

- A. The soil classifications and interpretations as provided by the United States Department of Agriculture, Soil Conservation Service, and the use limitations pertaining to that soil classification may be considered by the Health Officer and used as part of the soil and drainage evaluation.
- B. Impervious formations of clay, stone, or shale, if present should be at least four (4) feet below the ground surface or two (2) feet below the proposed depth of the distribution tile or pipe.
- C. Filled ground or made land shall be acceptable only under specific written approval of the Health Officer, and in any case shall be compacted or allowed to settle for at least one (1) year from the time of filling. Filling shall not be allowed over unstable soil, peat, muck, organic material within one hundred (100) feet of any lake, stream, pond, or other surface body of water.
- D. In addition to evaluation of the data noted above, the Health Officer might require stabilized percolation rate tests when deemed necessary to determine the absorption capacity of the soil. The Health Officer shall specify the procedures to be followed in performing acceptable stabilized percolation rate tests.
- E. The property under consideration shall be of sufficient size to allow for at least one (1) replacement system, equal in size to the initial system.
- F. A disposal system shall not be constructed in an area where deep-cut excavation(s) are required unless at least twenty-four (24) inches of acceptable permeable soil exists below the clay overburden. Deep-cuts shall not be in excess of twenty (20) feet below surface.
- G. A fill or elevated-type system shall not be allowed when:
 - 1) The upper two (2) feet of the natural soils are unsuitable for on-site subsurface sewage disposal or
 - 2) The seasonal high groundwater table elevation is less than two (2) feet below the natural grade. Natural grade meaning the ground elevation as it exists in the natural state without man-made changes in the natural cover or topography of land including cut and fill activities.
- H. Depth of seasonal high water table.

Section 240.4 - DISPOSAL FIELD SIZES

The following minimum disposal field areas are hereby established. In every case, sufficient area shall be provided for two (2) bedrooms. The minimum areas given on the table are based upon the most limiting natural soil profile usable at a designated field site. The usage of water-saving plumbing fixtures may allow for reduction of the required absorption areas listed, at the discretion of the Health Officer. The absorption bed (solid bed) method disposal system may be allowed when the soil permeability range is 0-20 minutes per inch.

Section 240.4 - OPTIMUM SOIL CONDITION TABLE

SOIL TEXTURE (Approximate)	PERMEABILITY RANGE IN MINUTES PER INCH	LINEAL FEET* ABSORPTION TRENCH/BEDROOM (24 Inch Wide Trench)	SQUARE FEET* OF SEEPAGE BED PER BEDROOM
Coarse Sand, Medium Sand	< 10	100	210
Fine Sand, Loamy Sand	10-20	125	330
Sandy Loam	20-30	150	Unsuitable ***
Loam/Sandy Clay Loam	31-45	175	Unsuitable ***
Clay Loam/Silty Clay Loam	46-60	200	Unsuitable ***
Clay, Silt, Marl	>60	Unsuitable **	Unsuitable ***
Muck, Peats	Unsuitable	Unsuitable	Unsuitable

* Effluent application rates are calculated on a maximum anticipated water consumption of seventy-five (75) gallons per person daily with maximum dwelling occupancy of two (2) persons per bedroom.

** Unsuitable for the use of conventional on-site septic absorption tilefield systems.

*** Unsuitable for seepage beds.

Must increase drainfield size by 20% if **garbage disposal** is planned.

Section 240.5 - TABLE OF SEWAGE DISPOSAL SYSTEM ISOLATION DISTANCE REQUIREMENTS

ITEM	SEWER LINE	SEPTIC TANK	DRAINFIELD
Well *	10 Feet	50 Feet	50 Feet
Buried Water Pressure Line	10 Feet	10 Feet	20 Feet
Lake, River, County Drain or* Other Water Impoundment	50 Feet	100 Feet *	100 Feet *
Foundation Wall	1 2 Feet	10 Feet	20 Feet
Pad (If for House Trailer or Pole Barn)	---	5 Feet	10 Feet
Surface Water Tile	---	10 Feet	20 Feet
Bank or Drop-Off	---	10 Feet	20 Feet
Lot Lines	2 Feet	5 Feet	10 Feet
Trees	---	---	10 Feet
Swimming Pool (Ingrade)	5 Feet	10 Feet	25 Feet

Septic tanks shall be located so as to be accessible for cleaning.

* These distances are minimum and may be modified if the conditions warrant.

1 Except at point of entry.

Section 240.6 - SEWAGE DISPOSAL SYSTEM CONSTRUCTION DETAILS

A. TABLE

	Unit	Maximum	Minimum
Number Of Trenches	---	---	2
Length Of Trenches	Feet	100	---
Width Of Trenches	Inches	36	18
Depth Of Septic Tank Below Finish Grade	Inches	---	6
Slope Of Tile Lines	In./100 Ft.	3	Level
Depth Of Stone For Absorption Trenches Under Tile Over Tile	Inches Inches	--- ---	6 2
Depth Of Stone For Absorption Bed Under Tile Over Tile	Inches Inches	--- ---	8 2
Size Of Absorption System Tile For Gravity Systems	Inches	---	4
Depth Of Backfill Over The Stone	Inches	18	12

- B. **Distribution System:** The absorption field or bed may be constructed of open joint clay or concrete sewer tile or drain tile which complies with the Michigan Department of Environmental Quality standards. Clay or concrete tile shall be laid with 1/4 to 1/2-inch open joints. Tarpaper strips shall be placed over the gap to cover the top half of the tile when twelve (12) inch clay or concrete tile are used. Fiberglass, tile guard material, straw or equal shall be placed between the stone and the backfill material. No impervious material, such as plastic film, is permitted for this purpose.
- C. All laterals in a sewage absorption system are to be connected with front and back headers. Each header may have open joints or perforations and may be counted as part of the total required linear footage. The discharge line from the septic tank shall be sealed, watertight conduit and shall be connected to the front header in a central location so as to afford an even distribution of all effluent throughout the subsurface disposal laterals.
- D. Diversion Valves: Diversion valves may be required by the Health Officer. When utilized, the installation, design, and material must be approved by the Health Officer.
- E. Stone: Stone used in an absorption system shall be clean, washed gravel and shall be a minimum of 1/4 inch and a maximum of 1 1/2 inches.
- F. Depth Of Stone: The depth of the trench bottom may vary, depending on the depth of permeable soil, the depth to the zone of saturation and the land surface contours. The maximum depth to the bottom of the trench, as measured from the original grade, shall not exceed thirty (30) inches. The Health Officer may restrict the depth to the trench bottom when specific site conditions warrant.

G. Absorption Bed: In addition to the preceding requirements, the following shall apply to the absorption bed method:

1. The stone over the tile shall be level across the surface of the bed.
2. Tile lines shall be spaced a minimum of three (3) feet on center beginning at least six (6) inches from the bed wall but not more than eighteen (18) inches from the bed wall.

H. Septic bed or trench cover shall have a minimum of ten-twelve (10-12) inches of sand and topsoil final cover; of which the top four-six (4-6) inches is topsoil for the support of grass and vegetation. Section 240.7 - REQUIRED SEPTIC TANK CAPACITIES

A minimum of 750 gallons capacity septic tank shall be required for all premises and residential lots. The following shall be required for all residences:

Number of Bedrooms	Septic Tank Capacity
2	1,000 Gallons
3	1,250 Gallons
4	1,500 Gallons
5	1,750 Gallons

Must increase septic tank capacity by **500 gallons** if **garbage disposal units** are used.

Section 240.8 - EXCEPTIONS FOR SEWAGE DISPOSAL SYSTEMS ON PREMISES WITH EXISTING DWELLING

At the discretion of the Health Officer, modifications of the required isolation distance, elevation of septic system, materials or size as stated in this Code may be applied if local conditions warrant and in cases where dimensions or features of the premises create a physical impossibility for compliance. In such event, if the Health Officer finds that public health would not be jeopardized an approval of a modified sewage disposal system may be granted if in the opinion of the Health Officer it would provide equal or better treatment than the existing system.

SECTION 241

PRIVIES

1. PRIVY CONSTRUCTION AND MAINTENANCE

All privies shall be constructed and maintained in accordance with Section 12771 of Act 368, P.A. of 1978 and Administrative Rules promulgated therefrom.

2. PROHIBITION OF PRIVIES

No privy shall be maintained or be constructed on or moved to any premises where the service of a sewer is available for public use.

3. LOCATION OF PRIVIES

Privies shall be located at least one hundred (100) feet from all dwellings other than that which they serve. No privy shall be closer than seventy-five (75) feet from a well or one hundred (100) feet from a body of water. No privy shall serve more than one (1) dwelling.

4. TEMPORARY PRIVIES

Temporary privies used at construction sites, places of public assembly, camps, etc., shall comply with Act 368, P.A. of 1978, Section 12771, and when cleaned or serviced, the agency performing such service shall comply with Act 243, P.A. of 1951, as amended.

SECTION 250

SEWAGE DISPOSAL SYSTEMS FOR OTHER THAN SINGLE OR TWO-FAMILY DWELLINGS

1. PERMITS REQUIRED

Any person wishing to install an on-site sewage disposal system, which is intended to serve a habitable building other than a single or two-family dwelling, shall first obtain a permit from the Shiawassee County Health Department. Application forms shall be supplied by the Shiawassee County Health Department.

2. MICHIGAN CRITERIA

The Michigan Criteria For Subsurface Sewage Disposal in accordance with the current Water Resources Commission Policy Statement shall be the basis from acceptance or rejection of proposed sewage disposal systems regulated in this section.

CHAPTER III

GARBAGE AND RUBBISH

SCOPE - These regulations shall apply to all premises in Shiawassee County.

SECTION 300

WORDS AND TERMS

Section 300.1 - GARBAGE

Shall mean rejected food wastes including waste accumulation of animal, fruit and vegetable matter used or intended for food or that attend the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit or vegetable.

Section 300.2 - RUBBISH

Shall mean nonputrescible solid wastes, excluding ashes, consisting of both combustible and noncombustible wastes, such as paper, cardboard, tin cans, yard clippings, wood, glass, bedding, crockery or litter of any kind that will be a detriment to the public health and safety.

Section 300.3 - ASHES

Shall mean the residue from the burning of wood, coal, coke or other combustible materials.

SECTION 310

ACCUMULATION OF GARBAGE

Section 310.1

No owner or occupant of any premise shall permit to accumulate upon such premise any garbage except in covered containers of rodent-proof, fly-proof, and watertight construction.

SECTION 320

ACCUMULATION OF RUBBISH

No owner or occupant of any premise shall permit to accumulate upon such premise any rubbish except in durable containers with close-fitting covers except that bulky rubbish such as tree limbs, weeds, large cardboard boxes, etc. may be bundled and so stored as not to provide a harborage or breeding place for rodents.

SECTION 330

DISPOSAL OF GARBAGE AND RUBBISH

Garbage and rubbish shall be disposed of in a manner, which creates neither a nuisance nor a menace to health in accordance with the provisions of Act 641, Public Acts of 1979 as amended. Any person or property owner disposing of garbage or rubbish from his own household upon property under his control can dispose of such material as long as such disposal method does not create a nuisance or hazard to health.

Adopted by unanimous vote of the Shiawassee County Commission on August 17, 1989 and will take effect October 1, 1989.

CHAPTER IV

WATER SUPPLIES

PREAMBLE

This ordinance applies to new or replacement wells with extensive changes, installed after adoption of this ordinance. It is hereby recognized that supply of safe potable water is fundamental to individual, public, and community health; that water supply facilities installed and operated in a proper manner are necessary for safeguarding public health; that water supplies furnishing water for human consumption need to be isolated and protected from sewage or other sources of pollution; and that contamination of water resources and supplies, or the creation of conditions menacing the public health, should be prevented. These regulations governing water supplies are hereby adopted pursuant to Sections 2435 and 2441 of Act 368 of the Public Acts of 1978, State of Michigan, as amended, being Sections 333.2435 and 333.2441 of the Michigan Compiled Laws.

SCOPE

This regulation shall apply to all premises not connected to Type I public water supplies, as defined by Michigan's Safe Drinking Water Act, Act 399 of the Public Acts of 1976, and Administrative Rules, as amended.

SECTION 400

DEFINITIONS

Section 400.1 - GENERAL

When not inconsistent with the context, words used in the present tense include the future, words in singular number include the plural number, and words in the plural number include the singular number. The word shall is always mandatory, and not merely directory. Words and terms not defined herein shall be interpreted in the manner of their common usage.

Section 400.2 - ABANDONED WATER SUPPLY

Abandoned Water Supply means a water supply whose use has been permanently discontinued, a water supply or portion thereof which is in such disrepair that its continued use for the purpose of obtaining water is impractical, a water supply which has been left uncompleted, a water supply which is a threat to other sources of water, or a water supply which is or may be a health or safety hazard.

Section 400.3 - APPROVED

Approved means acceptable for intended use as judged by the Health Officer by utilizing public health laws and regulations.

Section 400.4 - HABITABLE BUILDING

Habitable building means any house, building, structure, tent, shelter, trailer, or vehicle or portion thereof in which human beings reside, are employed, or congregate.

Section 400.5 - HEALTH DEPARTMENT

Health Department or Department means the Shiawassee County Health Department.

Section 400.6 - HEALTH OFFICER

Health Officer means the Health Officer in charge of the Shiawassee County Health Department or an authorized representative.

Section 400.7 - PERMIT

Permit means a Water Supply Construction Permit, unless otherwise noted.

Section 400.8 - PERSON

Person means an individual, partnership, co-partnership, company, firm, cooperative, public or private association or corporation, political subdivision, unit or agency of a local, state, or federal government, trust, estate, or any other legal entity, or their legal representative, agent, or assigns.

Section 400.9 - PREMISE

Premise means a tract of land with or without a habitable building.

Section 400.10 - PUBLIC WATER SUPPLY

Public Water Supply means a water supply, which provides water for drinking or household purposes to persons other than the supplier of water, except those water supplies, which supply water to only one (1) living unit.

Section 400.11 - SAFE AND ADEQUATE WATER SUPPLY

Safe and adequate water supply means a water supply which is constructed and located in such a manner as to provide water which will not endanger the health of the user and which provides sufficient water pressure to

operate connected plumbing fixtures.

Section 400.12 - WATER SUPPLY

Water supply means a system of pipes and structures through which water is obtained, including but not limited to, the source of the water such as wells, surface water intakes, or hauled water storage tanks; and pumping and treatment equipment, storage tanks, pipes and appurtenances, or a combination thereof, used or intended to furnish water for domestic or commercial use.

Section 400.13 - WELL

Well means an opening in the surface of the earth for the purpose of obtaining ground water, monitoring the quality or quantity of ground water, obtaining geologic information on aquifers, recharging aquifers, purging aquifers, utilizing the geothermal properties of earth formations, or removing ground water for any purpose. Wells as defined in this section include:

- a) A water supply well used to obtain water for drinking or domestic purposes.
- b) An irrigation well used to provide water for plants, livestock, or other agricultural processes.
- c) A test well used to obtain information on ground water quantity, quality, or aquifer characteristics, for the purpose of designing or operating a water supply well.
- d) A recharge well used to discharge water into an aquifer.
- e) A dewatering well used to lower the ground water level temporarily at a construction site.
- f) A heat exchange well used for the purpose of utilizing the geothermal properties of earth formations for heating or air conditioning.
- g) An industrial well used to supply water for industrial processes, fire protection, or similar nonpotable uses.
- h) A fresh water well at an oil or gas well drilling site, when the fresh water well is to be retained after completion of the oil or gas drilling operation.
- i) A test well for monitoring quality of the groundwater.

SECTION 410

POWERS AND DUTIES OF THE HEALTH OFFICER

Section 410.1 - REGULATE

The Health Officer shall have the authority to regulate the design, installation, operation, and maintenance of all water supplies under the jurisdiction of the Shiawassee County Health Department.

Section 410.2 - ESTABLISH GUIDELINES

The Health Officer may establish guidelines concerning the interpretation of this Code. Such guidelines shall be subject to review and approval by the Board of Health.

SECTION 420

INCORPORATION OF OTHER REGULATIONS

The Shiawassee County Health Department incorporates by reference, and adopts as part of this Code, the following:

- A. The Safe Drinking Water Act, Act No. 399 of the Public Acts of 1976, being sections 325.1001 through 325.1023 of the Michigan Compiled Laws, and the following sections of Administrative Rules promulgated pursuant to that Act: Part 1, being R 325.10101 to R 325.10115; Part 4, being R 325.10401 to R 325.10409; Parts 7 and 8, being R 325.10701 to R 325.10833; and Parts 10 through 14, being R 324.11001 to R 325.11407 of the Michigan Administrative Code, and any subsequent revisions thereto, and
- B. Part 127 of Act No. 368 of the Public Acts of 1978, of Michigan's Public Health Code, being sections 333.12701 through 333.12715 of the Michigan Compiled Laws, and the Administrative Rules promulgated pursuant to that Act, being R 325.1601 through R 325.1676 of the Michigan Administrative Code, and any subsequent revisions thereto.

SECTION 430

UNLAWFUL TO OCCUPY

No person shall occupy, permit to be occupied, or offer for rent, lease, or occupancy, any habitable building which is not provided with an approved water supply. Any habitable building, which is not served with an approved water supply, may be declared unfit for habitation and may be so posted by the Health Officer. The Health Officer may order the owner to connect the building to a municipal water supply, if available, or to construct a water supply in compliance with this Code within thirty (30) days.

SECTION 440

PRIORITY OVER BUILDING PERMITS

Where an approved municipal water supply is not available, a municipality, township, or other agency shall not issue a building permit, or otherwise allow construction to commence, for any habitable building, until a Water Supply Construction Permit has first been issued by the Health Officer.

SECTION 450

WATER SUPPLY CONSTRUCTION PERMIT REQUIRED

No person shall begin construction of a new water supply, or make extensive changes to existing water supplies, without first obtaining a Water Supply Construction Permit from the Shiawassee County Health Department. Extensive changes include replacing the well casing, removing a well casing from the ground, changing aquifers or sources of water, changing screen elevation, deepening or plugging back a bedrock well, changing the pump type, installing a liner pipe, and a significant increase in the capacity of the water supply.

Section 450.1 - PERMIT IDENTIFICATION

The State of Michigan well identification number shall be assigned to each well upon issuing a well permit to assist in groundwater mapping.

SECTION 460

PROJECT PERMIT

Where multiple wells of a similar nature are proposed to be constructed for the same project, a project permit may be issued. This shall be a single permit.

SECTION 470

PERMIT APPLICATION PROCEDURE

Section 470.1 - APPLICATION FORM

The Water Supply Construction Permit Application shall be made on forms provided by the Health Officer.

Section 470.2 - COMPLETED APPLICATION

A completed application shall include:

- a) The signature of the property owner(s) or their authorized representative.
- b) The appropriate application fee.
- c) A site plan of the proposed source of water (well, hauled water, storage tank, etc.) in relation to the buildings, property lines, all known, suspected, or potential contamination sources, and all wells whether usable or abandoned, and data which may be required by the Health Officer. For water supplies utilizing other than a well as the source of water, a scaled engineering drawing may be required.

Section 470.3 - HEALTH OFFICER RESPONSE

The Health Officer shall make a written decision on a completed permit application within five (5) workdays after the receipt of the application. If the Health Officer fails to act within this five (5) workday period, the permit shall be considered issued as applied for.

SECTION 480

LATE APPLICATION PENALTY

If a person fails to obtain a permit prior to beginning construction of a water supply, a penalty fee equal to the normal application fee shall be charged. Within five (5) working days of being notified of the permit violation, the person shall submit a Water Supply Construction Permit application, accompanied by the normal application fee and the penalty fee, to the Health Officer. Payment of the late application penalty fee shall not exempt said person from any further penalties prescribed for violation of this Code.

SECTION 490

PLUGGING OF WELL

The Health Officer may require the plugging of a well that is constructed without a permit or is constructed in violation of this Code or permit requirements.

SECTION 491

WATER SUPPLY CONSTRUCTION PERMITS

Section 491.1 - ISSUANCE

The Health Officer shall issue a Water Supply Construction Permit when the data obtained indicates that the requirements of this Code and/or applicable state statutes have been or will be met, and that the quality of the ground water will not be degraded. A site evaluation may be required prior to the issuance of the permit. The permit may impose limitations or conditions, which the Health Officer deems necessary to protect the public health

or ground water quality.

Section 491.2 - EXPIRATION

A Water Supply Construction Permit expires and becomes invalid two (2) years from the date of issuance. Upon written request prior to expiration of the permit, the permit may be extended one (1) time only at no additional charge for an additional one (1) year.

Section 491.3 - TRANSFER

Should the ownership of the property for which a permit has been issued change, the permit may be transferred to the new owner provided that no change in the scope of the project has or will occur. The transfer must be requested in writing and signed by the new property owner. Permits are not transferable with respect to property or specific land parcel served.

Section 491.4 - VOIDANCE

The Health Officer may declare a previously issued Water Supply Construction Permit to be null and void for any of the following reasons:

- a) False, inaccurate, or incomplete information supplied by the permit holder.
- b) A change in the plans of the permit holder affecting circumstances relative to the water supply design, location or use.
- c) Acquisition of new knowledge or information about the aquifer in the area that may result in a health hazard.

Section 491.5 - DENIAL

The Health Officer may deny an application for a Water Supply Construction Permit when incomplete, inaccurate, or false information has been supplied by the applicant, or when the Health Officer determines that the requirements of this Code and/or applicable state statutes have not or cannot be met. The denial shall be furnished to the applicant in writing within five (5) working days.

SECTION 492

NOTIFICATION

The Health Officer shall be notified by the permit holder or well driller within five (5) working days following completion of the water supply construction or pumping equipment installation.

SECTION 493

INSPECTION

The Health Officer may make inspections of water supplies during and/or after completion of construction as deemed necessary.

SECTION 494

APPROVAL

A new water supply shall not be approved by the Health Officer until the following conditions have been met:

- a) An on-site inspection has been completed by the Health Officer, and the water supply is found to be in compliance with applicable code and permit requirements.

- b) A completed Water Well And Pump Record, prepared by the well driller and/or pump installer, as applicable, has been submitted to the Health Officer.
- c) The Health Officer has received copies of the results of the analysis of water samples indicating that raw water quality meets minimum public health standards. Water sample analysis shall include coliform bacteria and any other parameter deemed necessary by the Health Officer. Analysis of water samples shall be performed by laboratories certified by the Michigan Department of Environmental Quality. All water samples shall be collected by the Health Officer or other person specifically designated by the Health Officer.
- d) Submission of verification of construction, on forms provided by the Health Department, by the well driller and/or pump installer certifying construction meets all applicable rules, codes and permit requirements.

SECTION 495

STOP WORK ORDER

If the Health Officer determines that a water supply under construction does not comply with the requirements of this Code, the Health Officer may issue a written stop work order. Work shall not resume until the owner and/or contractor have agreed to make corrections to comply with this Code, and the Health Officer rescinds the stop work order.

SECTION 496

EMERGENCY CONDITIONS

In the event an emergency arises where the lack of water will result in undue hardship and the office(s) of the Shiawassee County Health Department is/are closed, or when the well driller is involved with repair work and it is deemed necessary to begin construction immediately on a new well, a registered well driller may begin extensive changes to or construction of a new water supply without notification or permit. The well driller shall contact the Health Officer on the next regular working day and obtain a permit for such installation. The late application penalty specified in Section 480 of this Code is waived in these cases.

SECTION 497

EXISTING WATER SUPPLIES

Section 497.1 - INACTIVE WATER SUPPLIES

A water supply, which has not been in use and not connected to a habitable building, shall not be put back into operation unless it can be shown to be in compliance with this Code.

SECTION 498

PENALTY

Any person who shall fail to comply with any provision herein, shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished by a fine not exceeding the sum of five hundred dollars (\$500) or by imprisonment in the county jail not exceeding six (6) months, or by both such fine and imprisonment in the discretion of the court. Each day the violation continues shall constitute a separate offense.

EFFECTIVE DATE

This Code shall become effective on JUNE 23, 1997.

The Sanitary Code of the Shiawassee County Health Department, effective October 1, 1989, is hereby amended to include Chapter IV.